

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

ESTATE OF CINDY LOU HILL, by and
through its personal representative, Joseph A.
Grube,

Plaintiff,

v.

NAPHCARE, INC, an Alabama corporation;
and SPOKANE COUNTY, a political
subdivision of the State of Washington,

Defendants.

Case No. 2:20-CV-0410-MKD

CIVIL MINUTES

DATE: 11/16/2022

LOCATION: Spokane

MOTION HEARING

		JUDGE MARY K. DIMKE			
Linda Hansen		LC 02		Ronelle Corbey	
Courtroom Deputy		Law Clerk		Interpreter	
Court Reporter					
Edwin S Budge and Hank L Balson			David Perez, Eric B Wolff and Michelle M Maley <i>for Def Naphcare</i>		
John E Justice <i>for Def Spokane County</i>					
Plaintiff's Counsel			Defense Counsel		

☒ **Open Court**

☐ **Chambers**

☐ **Video-Conference**

All parties present in the courtroom.

Motion before the Court: NaphCare's Rule 50 & 59 Motions for Judgment as a Matter of Law, New Trial, and/or Remittitur, ECF No. 286.

The Court has reviewed the submissions of the parties and addressed the parties regarding the structure of the arguments to be presented today.

Eric Wolff, on behalf of Defendant Naphcare, presented argument on *Monell* issues and rested on briefing regarding jury instructions. The Court questioned Mr. Wolff. Mr. Balson responded on behalf of the Plaintiff. Mr. Wolff argued in rebuttal. Mr. Balson responded. Mr. Wolff made a correction to his argument.

Mr. Wolff advised that he doesn't have any additional arguments regarding bifurcation. John Justice addressed the Court in opposition to the motion for bifurcation on behalf of Defendant Spokane County. Mr. Balson argued in opposition to bifurcation on behalf of the Plaintiff.

Mr. Wolff argued regarding punitive damages. Ed Budge argued in opposition to the defendant's motion for remittitur and in support of the jury's award of punitive damages.

Mr. Budge provided the Court with a chart of cases referenced in his argument. The Court directed Mr. Budge to file the chart as in the case in CM/ECF after the hearing.

Recessed: 3:47 pm

Reconvened: 4:00 pm

Mr. Wolff presented rebuttal argument. Sur-rebuttal by Mr. Budge.

The Court took the matter under advisement and will issue a written order within 60 days.

CONVENED: 1:32 PM	RECESSED: 3:47 PM	TIME: 2 HRS/ 38 MINS	ORDER FORTHCOMING [X]
RECONVENED: 4:00 PM	ADJOURNED: 4:23 PM		